



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ZHU et al.

Attorney Docket No.:
LAM1P147/P0675

Application No.: 09/782,185

Examiner: CHEN, Kin-Chan

Filed: February 12, 2001

Group: 1765

Title: UNIQUE PROCESS CHEMISTRY FOR
ETCHING ORGANIC LOW-K
MATERIALS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on March 25, 2004 in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: _____

Sue Funchess

**DECLARATION IN SUPPORT OF
PETITION TO REVIVE UNAVOIDABLY
ABANDONED APPLICATION OR LAPSED PATENT
(37 CFR 1.137(a))**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This declaration is made as to the facts that are relied upon to establish the *bona fide* effort made to show that the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unavoidable.

I, Michael Lee, do hereby declare:

1. I am an attorney who prepared and filed the above-referenced application. In this application and in this petition under 37 CFR 1.137(a), I am representing the interests of Lam Research Corporation.
2. On March 5, 2004, a routine check through PAIRS to ascertain the status of the referenced application revealed that a Notice of Allowance/Issue Fee Due was mailed on

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November 7, 2003. Accordingly, the due date for payment of the Issue Fee was February 7, 2004.

3. Subsequently, on March 5, 2004, a telephone call was made to Group Art Unit 1765 to request a copy of the Notice of Allowance/Issue Fee Due be sent to our office. The requested document was faxed to us that day by Examiner Kin-Chan Chen.

4. Based upon our review of the attached mail logs, dated November 6, 2003 through December 5, 2003, the Notice of Allowance/Issue Fee Due was never received in our offices, and therefore we had no way of knowing that this fee was due. Subsequently, the application was abandoned for failure to pay the Issue Fee.

5. Since the Notice of Allowance/Issue Fee Due was never received by us for this application, applicants respectfully request and petition for revival of this application.

6. It is understood that a proper Petition for Revival requires a response to the outstanding action. Accordingly, we are enclosing a check for \$1,950.00 for the IDS filing fee (\$180), petition fee (\$110), issue fee (\$1,330), publication fee (\$300), and patent copies (\$30).

In the event that this petition is dismissed by the USPTO, please treat this petition as a "Petition to Revive for Patent Application Abandoned Unintentionally", and charge any required fees to our Deposit Account No. 50-0388 (Order No. LAMIP147).

Respectfully submitted,

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